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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/628,198	07/28/2003	Young-Joon Park	TI-35623	6116

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EXAMINER

PERALTA, GINETTE

ART UNIT PAPER NUMBER

2814

DATE MAILED: 02/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

Office Action Summary	Application No. 10/628,198	Applicant(s) PARK ET AL.	
	Examiner Ginette Peralta	Art Unit 2814	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,5-8 is/are rejected.
- 7) ☒ Claim(s) 2 and 4 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 3, 5, 7, and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Park et al. (U. S. Pat. 6,709,970 B1).

Regarding claim 1, Park et al. discloses a method of manufacturing copper interconnects on a semiconductor wafer that comprises forming a layer 50 of patterned dielectric material, the patterned dielectric material defining spaces for the copper interconnects (as taught in col. 4, lines 55-67, and in Fig. 2); depositing a copper seed layer 90 over the layer of patterned dielectric material (as taught in col. 5, lines 10-14, 23-30, and in Fig. 4); depositing a first layer of copper grains 110 having a first initial grain size (as taught in col. 5, lines 51-54) over the copper seed layer by an electroplating process (as taught in col. 5, lines 31-48, and in Fig. 7); and depositing a second layer 130 of copper having a second initial grain size over the first layer of copper, the second layer of copper grains being deposited by an electroplating process (as taught in col. 6, lines 30-48, and in Fig. 8.)

Regarding claim 3, Park et al. discloses in col. 6, lines 30-32 that the second initial grain size is larger than the first initial grain size.

Regarding claim 5, Park et al. discloses in col. 5, lines 49-50 that the method further comprises annealing the semiconductor wafer.

Regarding claim 7, Park et al. discloses a method of manufacturing copper interconnects on a semiconductor wafer that comprises forming a layer 50 of patterned dielectric material, the patterned dielectric material defining spaces for the copper interconnects (as taught in col. 4, lines 55-67, and in Fig. 2); depositing a copper seed layer 90 over the layer of patterned dielectric material (as taught in col. 5, lines 10-14, 23-30, and in Fig. 4); depositing a first layer of copper grains 110 having a first initial grain size (as taught in col. 5, lines 51-54) over the copper seed layer by an electroplating process (as taught in col. 5, lines 31-48, and in Fig. 7); and depositing at least one additional layer 130 of copper grains of differing initial grain size over the first layer of copper, the at least one additional layer of copper grains being deposited by an electroplating process (as taught in col. 6, lines 30-48, and in Fig. 8.)

Regarding claim 8, Park et al. discloses a method of manufacturing copper interconnects on a semiconductor wafer that comprises forming a layer 50 of patterned dielectric material, the patterned dielectric material defining spaces for the copper interconnects (as taught in col. 4, lines 55-67, and in Fig. 2); depositing a copper seed layer 90 over the layer of patterned dielectric material (as taught in col. 5, lines 10-14, 23-30, and in Fig. 4); depositing a first layer of copper grains 110 having a first initial grain

size (as taught in col. 5, lines 51-54) over the copper seed layer by an electroplating process (as taught in col. 5, lines 31-48, and in Fig. 7); and depositing a second layer 130 of copper having a second initial grain size over the first layer of copper, the second layer of copper grains being deposited by an electroplating process (as taught in col. 6, lines 30-48, and in Fig. 8); and annealing the semiconductor wafer (as taught in col. 5, lines 49-50.)

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Park et al.

Park et al. discloses a method of manufacturing copper interconnects on a semiconductor wafer that comprises forming a layer 50 of patterned dielectric material, the patterned dielectric material defining spaces for the copper interconnects (as taught in col. 4, lines 55-67, and in Fig. 2); depositing a copper seed layer 90 over the layer of patterned dielectric material (as taught in col. 5, lines 10-14, 23-30, and in Fig. 4); depositing a first layer of copper grains 110 having a first initial grain size (as taught in col. 5, lines 51-54) over the copper seed layer by an electroplating process (as taught in

col. 5, lines 31-48, and in Fig. 7); and depositing a second layer 130 of copper having a second initial grain size over the first layer of copper, the second layer of copper grains being deposited by an electroplating process (as taught in col. 6, lines 30-48, and in Fig. 8.)

Park et al. further discloses in col. 2, lines 40-45 that the annealing step is performed within a temperature range of 150° to 300°C for a time between 3 minutes and 30 minutes.

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to vary the temperature and time of annealing as there is no statement denoting the criticality of the temperature and time of annealing and since the range of temperatures and range of time disclosed by Park et al. lie within the ranges claimed by the inventors.

"In the case where the claimed ranges "overlap or lie inside ranges disclosed by the prior art" a prima facie case of obviousness exists. In re Wertheim, 541 F.2d 257, 191 USPQ 90 (CCPA 1976); In re Woodruff, 919 F.2d 1575, 16 USPQ2d 1934 (Fed. Cir. 1990) (The prior art taught carbon monoxide concentrations of "about 1-5%" while the claim was limited to "more than 5%." The court held that "about 1-5%" allowed for concentrations slightly above 5% thus the ranges overlapped.)" (MPEP 2144.04)

Response to Arguments

5. Applicant's arguments filed 12/6/04 have been fully considered but they are not persuasive.

Regarding applicant's argument that Park et al. teaches away from the claimed invention by teaching a second Cu layer formed by electroplating, CVD, or sputtering

over a thin Cu layer but not over a first layer of copper grains as claimed, it is noted that the second copper layer 130, is deposited over a first layer of copper grains 110, as disclosed in col. 5, lines 51-54) and furthermore, the layer 110 is deposited by electroplating, the layer which is deposited by CVD or sputtering is the copper seed layer 90 as taught in col. 2, lines 44-48, where it reads: "The **first and the second metal film** may be deposited using an electroplating process or an electroless plating process. The **seed metal film** may be deposited using a CVD process or a sputtering process." (Emphasis added)

Regarding applicant's argument that Park et al. teaches an annealing step following the deposition of the first layer of Cu grains, and that since the second Cu layer is not deposited over a first layer of copper grains, it is noted that Park et al. discloses in col. 5, lines 50-54, that the annealing step is performed to increase the grain size of the first layer of copper grains not to eliminate the grains, thus the second layer of copper grains is still formed over a first layer of copper grains.

Allowable Subject Matter

6. Claims 2 and 4 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The primary reason for the allowance of the claims is the inclusion of the feature of depositing at least one additional layer of copper grains of any initial grain size over the second layer of copper grains, the at least one additional layer of copper grains

being deposited by an electroplating process, which is not anticipated nor rendered obvious over the prior art of record

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

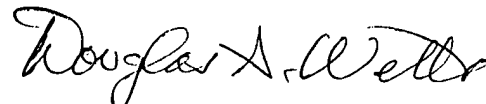
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ginette Peralta whose telephone number is (571)272-1713. The examiner can normally be reached on Monday to Friday 8:00 AM- 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wael Fahmy can be reached on (571)272-1705. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GP


DOUGLAS WILLE
PRIMARY EXAMINER